

### **Remarks**

Claims 1-25, 31 and 37-70 have been canceled previously or herein without prejudice or disclaimer. Applicants reserve the right to pursue the subject matter encompassed by all canceled claims in one or more divisional or continuation applications. Claims 26, 27, 32, and 33 have been amended such that they are now in independent form and include all limitations of the base claim from which they previously depended. In the Office Action mailed May 24, 2006 (Paper No. 278051006), the examiner acknowledged that claims 26, 27, 32 and 33 would be allowable if rewritten in independent form including all the limitations of the base claim and all intervening claims (Office Action at page 18). Claims 28-30 and claims 34-36 have been amended to the extent that they now depend from independent claims 27 and 33, respectively. Claims 26-30 and 32-36 are currently pending. No new matter has been added.

### **Information Disclosure Statement**

Applicants thank the Examiner for pointing out the typographical error relating to reference AE on the Information Disclosure Statement. Applicants confirm that correct International Publication Number corresponding to reference AE is WO-99/06557.

### **Rejections under 35 U.S.C. §112**

Claims 37-50 were rejected under 35 U.S.C. §112, first paragraph for allegedly failing to comply with the written description requirement (*see*, Office Action, page 5) and claims 53, 58, 63 and 68 were rejected under 35 U.S.C. §112, second paragraph for allegedly being indefinite (*see*, Office Action, page 4). Claims 37-50, 53, 58, 63 and 68 have been cancelled without prejudice or disclaimer. Therefore, this rejection is now moot.

### **Rejections under 35 U.S.C. §§102(b) and 103(a)**

Claims 25, 30, 31, 36-51, 53-56, and 58-70 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by GenBank GI:5706449 (04-August-1999) and/or Lanier *et al.* (1998) and claims 28, 29, 34, 35, 52 and 57 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Bakker *et al.* (WO 99/06557) in view of GenBank GI:5706449 (04-August-1999). Applicants submit that the claims as amended upon entry of the present amendment either obviate or overcome the outstanding rejections under 35 U.S.C. §§ 102(b) and 103(b) and respectfully request that the rejections be reconsidered and withdrawn.

Applicants additionally respectfully point out that the disclosure of a novel protein expressed on the surface of macrophages (as well as dendritic cells and neutrophils) in itself discloses a specific and substantial utility that would have been appreciated by one of ordinary skill in the art on the claimed priority date of the present invention. Macrophages, dendritic cells, and neutrophils have long been understood to play significant roles in innate and adaptive immune responses and have been implicated in the progression of many serious immune disorders such as, autoimmune and inflammatory diseases (e.g., lupus, rheumatoid arthritis, psoriasis, Crohn's disease, and graft-versus host disease). Moreover, proteins expressed on the surface of macrophages, dendritic cells, and neutrophils have long been sought for targeting these cell types (i.e., in immunotherapy). Accordingly, one of ordinary skill in the art would have reasonably believed and appreciated that the proteins of the invention "would" be useful for treating immune disorders (see page 59, lines 12-15), for example, by providing immunotherapy targets for targeting therapies to the cell types expressing these proteins.

### **Conclusion**

Applicants respectfully request that the above-made amendments be entered and made of record in the file history of the instant application. Applicants believe that upon entry of the above made amendments, the application will be in condition for allowance and invite the Examiner to call the undersigned at the phone number provided below if any further action by Applicants would expedite the examination of this application.

If there are any fees, not already accounted for, due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 08-3425. If a fee is required for an extension of time under 37 C.F.R. § 1.136, such an extension is requested and the appropriate fee should also be charged to our Deposit Account.

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Respectfully submitted,

By 

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